

REMARKS:

The specification was objected to in the previous office action of March 25, 2005 which resulted in the Applicants amending the specification at page 10, lines 8-24, to remove references to "chloroform and carbon tetrachloride" as halogen containing compounds that can be used. However, upon reconsideration, the Examiner has concluded that this amendment was not necessary and has indicated that it is permissible for the Applicants to reinsert the canceled terms "chloroform" and "carbon tetrachloride" back into the specification. Such an amendment has accordingly been made.

The disclosure has been objected to on the basis that Comparative Example 15 at page 26, lines 21-22 mistakenly makes reference to the "pre-alkylated Nd catalyst" as being a "co-catalyst" instead of a "catalyst." This mistake in the specification has been corrected with the pre-alkylated Nd catalyst properly being referred to as a catalyst rather than a co-catalyst.

The disclosure was also objected to because in Comparative Example 17 at page 28, line 7, an erroneous reference to Example 15 was made rather than properly referencing Example 16. This error in the specification has been corrected by replacing the erroneous reference to Example 15 with the proper reference to Example 16.

The disclosure was further objected to on the basis that there was an inconsistency between the invention that was delineated in claim 1 from the invention described in the Examples. More specifically, the Examiner noted that claim 1 had been amended to call for the aluminum containing catalyst component and the halogen containing compound to be added directly to the reactor. This is the technique used in Comparative Examples 15 and 17 rather than the technique described in working Examples 14 and 16 which results in a far more active catalyst. The Examiner is correct in that the limitation of calling for the aluminum containing catalyst component to be added directly to the reactor and the limitation calling for the halogen containing compound to be added directly to the reactor should not have been inserted into claim 1 since these limitations are associated with Comparative Examples which lead to less desirable results. Accordingly, claim 1 has been amended to remove these limitations.

Claims 1 and 4-15 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicants regard as being their invention. More specifically, the Examiner noted that in the third line of the end of the claim, reference was made to the "aluminum containing

catalyst component" which does not have a proper antecedent basis. This basis of rejection has been overcome by canceling the phrase that made improper reference to "the aluminum containing catalyst component."

Claims 1 and 4-15 have been rejected under 35 U.S.C. §103(a) as being obvious over the teachings of Sone et al (United States Patent 6,130,299). It should be noted that claim 15 which calls for the catalyst system to be prepared in the absence of compounds that contain labile halogen atoms was not rejected on the basis of being obvious over the teachings of Sone. The Examiner has advised the Applicants to file an RCE and to amend their claims to limit the halogen containing compound to be void of labile halogens. Such an RCE has been filed and this amendment incorporates the limitation of old claim 15 into independent claim 1. This amendment should accordingly be appropriate to overcome the rejection over Sone.

The claims and specification of the subject patent application have been amended in accordance with the Examiner's recommendations. It is believed that these amendments put the specification and claims in compliance with the requirements of 35 U.S.C. §103(a) and 35 U.S.C. §112, second paragraph. It is accordingly now believed that it is appropriate to allow the subject patent application and such an allowance is respectfully requested.

Respectfully submitted,



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